

drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 7 to 11, 13 to 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noguchi (U.S. Patent No. 6,005,270) and DiMaria et al. (U.S. Patent No. 4,939,559).

Noguchi discloses most of the claimed invention (e.g. Figure 10 and Column 16 Lines 17 to 44) including:

- a substrate **10** of glass or plastic
- a plurality of gate **W_n** and data **B_n** with memory cells **MT_n** where said lines cross (Figure 3A)
- said memory cells comprising: